

SEPT. 23, 2021

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

V.

Defendants.

Civil Action No. 21-2224 (UNA)

This matter is before the Court on the plaintiff's application to proceed *in forma pauperis* and *pro se* complaint. For the reasons discussed below, the Court grants the application and dismisses the complaint as frivolous.

EX. "A"

unconstitutional Executive Orders or similar instruments which prevent Plaintiff from conferring immediately with her attorney[.]” *Id.* ¶ 30.e.

Upon careful review of the complaint, the Court concludes that its factual allegations are irrational or wholly incredible, rendering this case subject to dismissal as frivolous. *See Denton v. Hernandez*, 504 U.S. 25, 33 (1992) (“[A] finding of factual frivolousness is appropriate when the facts alleged rise to the level of the irrational or the wholly incredible[.]”); *Neitzke v. Williams*, 490 U.S. 319, 325 (1989) (“[A] complaint, containing as it does both factual allegations and legal conclusions, is frivolous where it lacks an arguable basis either in law or in fact.”); *Crisafi v. Holland*, 655 F.2d 1305, 1307–08 (D.C. Cir. 1981) (“A court may dismiss as frivolous complaints . . . postulating events and circumstances of a wholly fanciful kind.”).

The Court will grant plaintiff’s application to proceed *in forma pauperis* and will dismiss the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(i). An Order consistent with this Memorandum Opinion is issued separately.

/s/
AMY BERMAN JACKSON
United States District Judge

DATE: September 23, 2021

FILED

SEPT. 23, 2021

Clerk, U.S. District & Bankruptcy
Court for the District of Columbia

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

MARY JO WEIDRICK,

Plaintiff,

v.

JOSEPH R. BIDEN, JR., *et al.*,

Defendants.

Civil Action No. 21-2224 (UNA)

ORDER

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED that the plaintiff's application to proceed *in forma pauperis* [2] is GRANTED;

it is further

ORDERED that the plaintiff's motion to expedite [3] is DENIED; and it is further

ORDERED that the complaint and this civil action are DISMISSED WITHOUT
PREJUDICE.

This is a final appealable Order.

The Clerk of Court shall TERMINATE this case.

SO ORDERED.

/s/

AMY BERMAN JACKSON
United States District Judge

DATE: September 23, 2021

**Additional material
from this filing is
available in the
Clerk's Office.**